

REMARKS

The applicant has considered the Office action dated November 30, 2009, and the references it cites. By way of this response, claims 1, 7, 14, 20, 24, 26, 27, 30 and 37 have been amended. It is respectfully submitted that all pending claims are fully supported by the originally-filed specification. No new matter has been added. In view of the foregoing amendments and the following remarks, it is respectfully submitted that the pending claims are in condition for allowance and favorable reconsideration is respectfully requested.

Rejections under 35 U.S.C. § 112: Claim 24

The Office action rejected claim 24 under 35 U.S.C. § 112, second paragraph, for failing to provide sufficient antecedent basis for the term “the integrated circuit structure.” To provide antecedent basis for this term, the preamble of claim 24 has been amended to expressly recite “an integrated circuit structure.” Accordingly, withdrawal of the rejections of claim 24 and the claims depending therefrom under 35 U.S.C. § 112, second paragraph, is respectfully requested.

Furthermore, because the only rejection of claim 24 was the rejection under 35 U.S.C. § 112, second paragraph, it is respectfully submitted that amended claim 24 and all claims depending therefrom are in condition for allowance and favorable indication of the same is respectfully requested.

Art Rejections: Claim 1

The Office action rejected independent claim 1 as being anticipated by *Lebow* (U.S. 4,159,222) under 35 U.S.C. § 102(b). The applicant respectfully traverses this rejection.

Independent claim 1, as amended, recites a cross-over structure comprising first insulating material between a first elongate conductive interconnect and a third electro-deposited

metal portion of a second elongate conductive interconnect comprising a first conductive portion, a second conductive portion and the third electro-deposited metal portion, wherein the first insulating material is supported by separate second insulating material between the first conductive portion and the first elongate conductive interconnect, and between the second conductive portion and the first elongate conductive interconnect.

The Office action relies on different portions of *Lebow*'s first layer printed circuit pattern 30 for the first elongate conductive interconnect and the first and second conductive portions of the second elongate conductive interconnect recited in claim 1. (See the Office action, p. 2; *Lebow*, FIGS. 7A-B, 3:47-50.) The Office action also relies on *Lebow*'s second layer printed circuit pattern 62 for the third electro-deposited metal portion of the second elongate conductive interconnect recited in claim 1. (See the Office action, p. 2; *Lebow*, FIGS. 7A-B, 4:40-42.) Assuming for the sake of argument that such reliance is accurate (which the applicant does not admit at this time), *Lebow* describes that only a single insulating material 50 is positioned between its second layer printed circuit pattern 62 (relied on for the third electro-deposited metal portion) and the different portions of its first layer printed circuit pattern 30 (relied on for the first elongate conductive interconnect and the first and second conductive portions). (See *Lebow*, FIGS. 7A-B, 4:7-17, 4:33-42.)

In contrast with *Lebow*'s single insulating material 50, amended claim 1 recites first insulating material (which is between the first elongate conductive interconnect and the third electro-deposited metal portion) that is supported by separate second insulating material between the first conductive portion and the first elongate conductive interconnect, and between the second conductive portion and the first elongate conductive interconnect. Because *Lebow* is limited to a single insulating material 50 between its different printed circuit patterns, *Lebow*

clearly fails to teach or suggest the separate first and second insulating materials, with the first insulating material being supported by the separate second insulating material, as recited in claim 1. *Smith* (U.S. 6,380,729), which is also relied upon by the Office action, fails to overcome these deficiencies of *Lebow*.

For at least the foregoing reasons, amended claim 1 is allowable over the art relied upon by the Office action. Accordingly, withdrawal of the rejections of claim 1 and all claims depending therefrom under 35 U.S.C. § 102(b) is respectfully requested.

Art Rejections: Claim 37

The Office action rejected independent claim 37 as being anticipated by *Lebow* under 35 U.S.C. § 102(b). The applicant respectfully traverses this rejection.

Independent claim 37, as amended, recites a cross-over structure comprising first conductive means having a narrowed inner portion bounded by wider outer portions, and first insulating means positioned over the narrowed inner portion of the first conductive means but not over the wider outer portions of the first conductive means. The art relied upon by the Office action fails to teach or suggest such a cross-over structure.

The Office action relies on portions of *Lebow*'s first layer printed circuit pattern 30 for the first conductive means recited in claim 1. (See the Office action, p. 4; *Lebow*, FIGS. 7A-B, 3:47-50.) The Office action also relies on *Lebow*'s insulating material 50 for the first insulating means recited in claim 1. (See the Office action, p. 2; *Lebow*, FIGS. 7A-B, 4:40-42.) However, even assuming for the sake of argument that such reliance is accurate (which the applicant does not admit at this time), *Lebow* fails to teach or suggest a first conductive means having a narrowed inner portion bounded by wider outer portions, as recited in amended claim 37. Moreover, in contrast with claim 37, *Lebow* fails to teach or suggest that its insulating material is

positioned over a narrowed inner portion of a first conductive means but not over wider outer portions of the first conductive means. *Smith* fails to overcome these deficiencies of *Lebow*.

For at least the foregoing reasons, amended claim 37 is allowable over the art relied upon by the Office action. Accordingly, withdrawal of the rejections of claim 37 and all claims depending therefrom under 35 U.S.C. § 102(b) is respectfully requested.

Further Remarks

Claims 24, 26, 27 and 30 have been amended to remove “step” language to make it clear that such claims should not be construed under 35 U.S.C. § 112, ¶6.

In general, the Office action makes various statements regarding the pending claims and the cited references that are now moot in light of the above. Thus, the applicant will not address such statements at the present time. However, the applicant expressly reserves the right to challenge such statements in the future should the need arise (e.g., if such statement should become relevant by appearing in a rejection of any current or future claim).

If the Examiner is of the opinion that a telephone conference would expedite the prosecution of this case, the Examiner is invited to contact the undersigned at the number identified below.

The Commissioner is hereby authorized to charge any deficiency or any additional fees which may be required during the pendency of this application under 37 CFR 1.16 or 1.17 or under other applicable rules (except payment of issue fees) to Deposit Account No. 08-2025. Please refund any overpayment to the address associated with Deposit Account No. 08-2025.

In addition, if a petition for an extension of time under 37 CFR 1.136(a) is necessary to maintain the pendency of this application and is not otherwise requested in any accompanying

**U.S. Serial No. 10/564,238
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in Support of a Request for Continued Examination (RCE)**

papers, the applicants request that the Commissioner consider this paper to be a petition for an appropriate extension of time and hereby authorize the Commissioner to charge the fee as set forth in 37 CFR 1.17(a) corresponding to the needed extension of time to the above deposit account.

Please direct correspondence related to this application to the address associated with USPTO Customer No. 022879.

Respectfully submitted,
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